

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

INTELLECTUAL VENTURES II, LLC,

*Plaintiff,*

V.

SPRINT SPECTRUM L.P., NEXTEL  
OPERATIONS, INC., ERICSSON INC.,  
TELEFONAKTIEBOLAGET LM  
ERICSSON, and ALCATEL-LUCENT USA  
INC.,

*Defendants.*

INTELLECTUAL VENTURES II, LLC,

*Plaintiff,*

V.

T-MOBILE USA, INC., T-MOBILE US,  
INC., ERICSSON INC., and  
TELEFONAKTIEBOLAGET LM  
ERICSSON,

*Defendants,*

NOKIA OF AMERICA CORPORATION,

*Intervenor.*



Civil Action No. 2:17-cv-662-JRG  
LEAD

## JURY TRIAL DEMANDED

Civil Action No. 2:17-cv-661-JRG

## JURY TRIAL DEMANDED

## **JOINT MOTION TO AMEND DOCKET CONTROL ORDER**

Plaintiff Intellectual Ventures II LLC and defendants Sprint Spectrum L.P., Nextel Operations, Inc., Ericsson Inc., Telefonaktiebolaget LM Ericsson, T-Mobile USA, Inc., T-Mobile US, Inc., Alcatel-Lucent USA Inc., and Nokia of America Corporation, hereby file this Joint Motion to Amend the Docket Control Order (Dkt. 284) to extend the deadlines for dispositive and expert motions from February 19 to February 25, and correspondingly to extend the response,

reply, and surreply deadlines for dispositive motions as well as the deadlines for motions *in limine* as reflected in the below table. Several depositions of certain expert witnesses have been taking place and are to take place. Additionally, plaintiff's counsel has been in trial on another matter, as well as some defense counsel. The extension of these deadlines further reflects the adjusted pretrial conference date. Thus, the Parties seek this extension to allow additional time to prepare the dispositive and expert motions given the time commitments leading up to the current deadline. The requested extension does not impact any other deadlines set by the DCO or the progress of the case toward the current trial setting.

<b>Current Date</b>	<b>Amended Date</b>	<b>Deadline</b>
May 13, 2019		*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b>
April 23, 2019		*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Roy Payne.
	April 12, 2019	File Responses to Motions in <i>Limine</i>
April 10, 2019		*Notify Court of Agreements Reached During Meet and Confer  The parties are ordered to meet and confer on any outstanding objections or motions <i>in limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
April 8, 2019		*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
March 27, 2019	April 2, 2019	File Motions <i>in Limine</i>  The parties shall limit their motions <i>in limine</i> to issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice by giving appropriate instructions to the jury.

March 26, 2019	April 1, 2019	Sur-replies to dispositive motions filed February 25, 2019
March 25, 2019		<p>*File Notice of Request for Daily Transcript or Real Time Reporting.</p> <p>If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.</p>
March 25, 2019		Serve Objections to Rebuttal Pretrial Disclosures
March 19, 2019	March 25, 2019	Replies to dispositive motions filed February 25, 2019
March 14, 2019		Serve Objections to Pretrial Disclosures; and Serve Rebuttal Pretrial Disclosures
March 12, 2019	March 18, 2019	Responses to dispositive motions filed February 25, 2019
March 1, 2019		Serve Pretrial Disclosures (Witness List, Deposition Designations, and Exhibit List) by the Party with the Burden of Proof
February 19, 2019	February 25, 2019	<p>*File Dispositive Motions</p> <p>No dispositive motion may be filed after this date without leave of the Court.</p> <p>Motions shall comply with Local Rule CV-56 and Local Rule CV-7. <u>Motions to extend page limits will only be granted in exceptional circumstances. Exceptional circumstances require more than agreement among the parties.</u></p>
February 19, 2019	February 25, 2019	<p>*File Motions to Strike Expert Testimony (including <i>Daubert</i> Motions)</p> <p>No motion to strike expert testimony (including a <i>Daubert</i> motion) may be filed after this date without leave of the Court.</p>

A proposed order granting the relief requested is attached.

DATED: February 18, 2019

Respectfully submitted,

/s/ Martin J. Black w/permission Andrea Fair

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**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a) and served via the Court's electronic filing system on all counsel who have consented to electronic service on this 19th day of February, 2019.

/s/ Andrea Fair  
Andrea Fair